

Prepared By and Return to:
C. Mark Reed, Esq.
Jennings & Valancy, P.A.
311 S.E. 13th Street
Fort Lauderdale, FL 33316

**NOTICE OF PRESERVATION
OF
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR
LAS BRISAS AT CORAL BAY VILLAGE ASSOCIATION, INC.**

THIS NOTICE OF PRESERVATION OF DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR LAS BRISAS AT CORAL BAY VILLAGE ASSOCIATION, INC., (the "Notice") is executed this 9th day of March, 2021, by Las Brisas at Coral Bay Village Association, Inc. a Florida non-profit corporation, whose address is c/o. Alliance Property Systems, P.O. Box 19439, Plantation, FL 33318 (The "Association");

WITNESSETH

WHEREAS, Las Brisas At Coral Bay Village Association, Inc., a Florida non-profit corporation (the "Association") is the "Association" as defined in the Declaration of Covenants, Conditions and Restrictions for Las Brisas at Coral Bay Village Association, Inc. (the "Declaration"), formed for the governance of the residential community known as Las Brisas at Coral Bay Village Association, Inc. (the "Subdivision"), located in Broward County, Florida which covers the Total Property, more particularly described as shown on Exhibit A Attached hereto.

WHEREAS, each owner of a lot or unit within the Subdivision is a member of the Association, which Association is authorized to enforce use restrictions that are imposed upon parcels within the Subdivision;

WHEREAS, the Subdivision is governed by the provisions of that certain **DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR LAS BRISAS AT CORAL BAY VILLAGE ASSOCIATION, INC.,** RECORDED ON OCTOBER 11, 1991, AND LOCATED IN Official Records Book 18818 at Page 594, et seq., of the Public Records of Broward County, Florida, as same has been amended and supplemented from time to time (the "Declaration");

WHEREAS, all references to the above-referenced Declaration shall include all recorded amendments to said Declaration, which amendments are described in that certain Chronological Index of Recorded Amendments to Declaration attached hereto as **EXHIBIT B.**

WHEREAS, the real property interest claimed by the Association under this Notice is the right to continue to apply and enforce those certain use restrictions, covenants and easements, conditions set forth in the above-referenced Declarations;

WHEREAS, pursuant to Section 712.05 and Section 712.06, Florida Statutes, the Association desires to and has taken the actions necessary to preserve the covenants and

restrictions contained in the **DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR LAS BRISAS AT CORAL BAY VILLAGE ASSOCIATION, INC.**, as recorded in Official Records Book 18818 at Page 594, of the Public Records of Broward County, Florida, as amended from time to time, by the filing of this Notice;

NOW THEREFORE, the Association does hereby state and declare as follows:

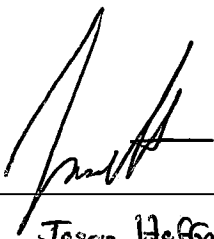
1. **Recitals.** The recitals set forth above are true and correct and are incorporated herein by reference.
2. **Preservation of Declaration.** On March 9th, 2021, the Board of Directors of the Association voted by at least a two-thirds (2/3rds) majority vote to extend and to preserve the Declaration of Covenants, Conditions and Restrictions for Las Brisas at Coral Bay Village Association, Inc. and to protect the Declaration from extinguishment by the operation of the Marketable Record title to Real Property Act, Chapter 712, Florida Statutes, pursuant to the provisions of Sections 712.05, Florida Statutes. Accordingly, this Notice has the effect of preserving the Declaration for a period of not longer than thirty (30) years following the recordation of this Notice among the Public Records of Broward County, Florida.
3. **Statement of Marketable Title Action.** Attached to this notice as **EXHIBIT C** IS AN Affidavit on the President if the Association (also being a member of the Board of Directors) affirming that the Board of Directors of the Association caused a statement meeting the requirements of Section 712.06, Florida Statutes, to be included in a notice which was mailed to all members of the Association, a copy of which is attached, as **Exhibit D.**

IN WITNESS OF WHEREOF, the Association has executed this Notice in a manner and from sufficient to bind it as of the date set forth above.

Witness:

By:

Print:



Jason Hoffman

By:

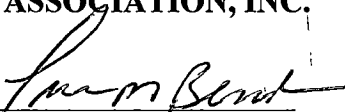
Print:

Paola A. Torres

**LAS BRISAS AT CORAL BAY
VILLAGE ASSOCIATION, INC.**

By:

Print:



Laura M. Bender

Title: President

By:

Print:



CARLTON HALL

Title: VP

STATE OF FLORIDA
COUNTY OF BROWARD

The foregoing instrument was sworn to, subscribed and acknowledged before me this 9 day of March, 2021 by Laura Bender and Carlton Hall as the President and VP, respectively, of Las Brisas at Coral Bay Village Association, Inc., who (check one) ☒ are personally known to me, or ☐ produced _____ (type of identification) as identification. They acknowledged executing this document in the presence of two subscribing witness freely and voluntarily under authority duly vested in them by said corporation.

Susan J Orsini
Commission No.

Notary Public

Print Name: _____



My Commission Expires:

LAND DESCRIPTION
CORAL BAY REPLAT SECTION ONE
LAS BRISAS

A PORTION OF PARCEL "J"

A portion of Parcel "J", CORAL BAY REPLAT SECTION ONE, according to the plat thereof as recorded in Plat Book 149, Page 37 of the Public Records of Broward County, Florida, being more particularly described as follows:

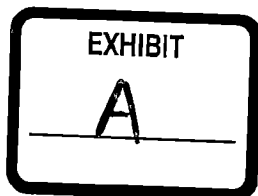
BEGINNING at the Southeast corner of said Parcel "J";

THENCE North 89° 29' 28" West, along the South line of said Parcel "J", 1658.09 feet;

THENCE North 00° 30' 32" East, 16.00 feet to a point on the arc of a curve concave to the Northwest, said point located on the Southerly Right-of-Way line of South Bay Drive (Parcel R-3) recorded in Plat Book 140, Page 7 of the Public Records of Broward County, Florida (the previously described course being radial to said curve);

THENCE along said Southerly Right-of-Way line, the following seven (7) courses and distances:

1. Northeasterly, along the arc of said curve, having a radius of 413.08 feet, a delta of 38° 39' 05", an arc distance of 277.98 feet to a Point of Reverse Curvature with a curve concave to the Southeast;
2. Northeasterly, along the arc of said curve, having a radius of 700.00 feet, a delta of 36° 54' 05", an arc distance of 450.84 feet to a Point of Reverse Curvature with a curve concave to the Northwest;
3. Northeasterly, along the arc of said curve, having a radius of 600.00 feet, a delta of 40° 00' 00", an arc distance of 418.88 feet to a Point of Reverse Curvature with a curve concave to the Northwest;
4. Northwesterly, along the arc of said curve, having a radius of 1000.00 feet, a delta of 25° 00' 00", an arc distance of 436.33 feet to an intersection with a non-tangent line (radial line through said point bears South 66° 14' 28" East);



SHEET 1 OF 2 SHEETS

5. North $33^{\circ} 28' 40''$ East, a distance of 102.41 feet to a point on the arc of a curve concave to the Northwest;
6. Northeasterly, along the arc of said curve, having a radius of 125.00 feet, a delta of $20^{\circ} 00' 00''$, an arc distance of 43.63 feet to a Point of Compound Curvature with a curve concave to the Northwest;
7. Northeasterly, along the arc of said curve, having a radius of 330.00 feet, a delta of $09^{\circ} 31' 47''$, an arc distance of 54.89 feet to a point of cusp (radial line through said point bears North $86^{\circ} 06' 06''$ West);

THENCE Southeasterly, along the arc of said curve, concave to the Northeast having a radius of 33.00 feet, a delta of $81^{\circ} 45' 51''$, an arc distance of 47.09 feet to a Point of Tangency;

THENCE South $77^{\circ} 51' 56''$ East, 35.45 feet to the beginning of a tangent curve concave to the Northeast;

THENCE Easterly, along the arc of said curve, having a radius of 85.00 feet, a delta of $13^{\circ} 08' 35''$, an arc distance of 19.50 feet to a Point of Tangency;

THENCE North $88^{\circ} 59' 28''$ East, 103.62 feet;

THENCE South $01^{\circ} 00' 32''$ East, 7.45 feet;

THENCE North $88^{\circ} 59' 28''$ East, 89.00 feet to an intersection with the East line of said Parcel "3";

THENCE South $01^{\circ} 00' 32''$ East, along said East line, 89.67 feet;

THENCE South $01^{\circ} 02' 35''$ East, 149.65 feet;

THENCE South $01^{\circ} 15' 33''$ West, 352.21 feet to the POINT OF BEGINNING;

Said lands lying in the City of Margate, Broward County, Florida, containing 662,876 square feet, (15.199 acres) more or less.

**CHRONOLOGICAL INDEX OF RECORDED AMENDMENTS TO
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF
LAS BRISAS AT CORAL BAY VILLAGE ASSOCIATION, INC.**

(OR Book and Page Numbers are in Broward County, Florida)

<u>DOCUMENT</u>	<u>RECORDING DATE</u>	<u>O.R. BOOK</u>	<u>PAGE</u>
Declaration of Covenants, Conditions and Restrictions for Las Brisas At Coral Bay Village Association, Inc.	October 11, 1991	18818	594
Resolution Adopting Rules and Regulations Regarding Parking	May 24, 2012	48776	1790
Amendment to Declaration of Covenants, Conditions and Restrictions for Las Brisas At Coral Bay Village Association, Inc.	October 31, 2019	Instrument No. 116147357	
Corrective Certificate of Amendment to the Declaration of Covenants, Conditions and Restrictions of Las Brisas at Coral Bay	December 12, 2019	Instrument No. 116230666	

**Exhibit
B**

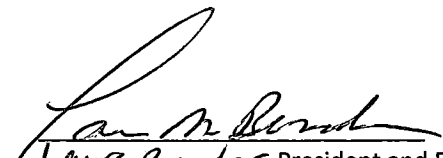
AFFIDAVIT OF PRESIDENT OF LAS BRISAS AT CORAL BAY VILLAGE ASSOCIATION, INC.

STATE OF FLORIDA
COUNTY OF BROWARD

BEFORE ME, the undersigned authority, this day personally appeared Laura Bender
("Affiant"), who after first being duly sworn, deposes and says:

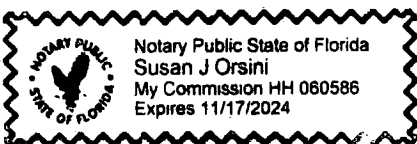
1. I am President and a Director of Las Brisas at Coral Bay Village Association, Inc., a Florida nonprofit corporation (the "Association"), and I have personal knowledge of the matter contained herein and know them to be true and correct.
2. The Association is the homeowners association which governs the residential community known as Las Brisas at Coral Bay Village Association, Inc., located in Broward County, Florida, pursuant to that certain Declaration Covenants, Conditions and Restrictions recorded in Official Records Book 18818 at page 594, et seq., of the Public Records of Broward County, Florida, as the same has been amended from time to time (the "Declaration").
3. The board of Directors of the Association has caused a statement in substantially the form required by Section 712.06(b), Florida Statutes, to be mailed to the Members of the Association not less than seven (7) days prior to the special meeting of the Board of Directors of the Association held on March 9th, 2021 at which the Board of Directors voted by at least two-thirds majority to preserve the covenants and restrictions contained in the Declaration and the Bylaws. A copy of the Notice of Special Board of Directors Meeting containing the Statement of Marketable Title Action is attached as **Exhibit D** to the Notice of Preservation.

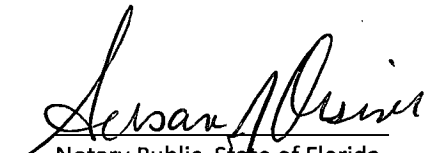
FURHTER AFFIANT SAYETH NOT.


Laura Bender, President and Director of
Las Brisas at Coral Bay Village Association, Inc.

The foregoing Affiant was sworn to and subscribed before me this 9 day of March,
2021 _____ is personally known to me or has produced _____ (type of
identification) as identification.

(NOTARY SEAL)




Notary Public, State of Florida
Print Name: _____
Commission Number: _____
My Commission Expires: _____

**Exhibit
C**

LAS BRISAS AT CORAL BAY VILLAGE ASSOCIATION, INC.

Board of Directors
c/o Alliance Property Systems
P.O. Box 19439
Plantation, FL 33318

February 22, 2021

Via U.S. Mail to All Members
Las Brisas At Coral Bay Village Association, Inc.:

Re: Las Brisas At Coral Bay Village Association, Inc.

A Board Meeting will be held for the purpose of preserving the Declaration of Covenants, Conditions and Restrictions on March 9th, 2021 at 7:00 P.M. at 3101 S. Bay Drive, Margate, FL 33063

STATEMENT OF MARKETABLE TITLE ACTION

LAS BRISAS AT CORAL BAY VILLAGE ASSOCIATION, INC. (the "Association") has taken action to ensure that the Declaration of Covenants, Conditions and Restrictions recorded in Official Records Book 18818 Page 594, of the public records of Broward County, Florida as may be amended from time to time, currently burdening the Total Property more particularly described as attached on Exhibit A retains its status as the source of marketable title with regard to the transfer of a member's residence. To this end, the Association shall cause the notice required by chapter 712, Florida Statutes, to be recorded in the public records of Broward County, Florida. Copies of this notice and its attachments are available through the Association pursuant to the Association's governing documents regarding official records of the Association.

Sincerely,

Board of Directors

**Exhibit
D**